

**Federal Defenders
OF NEW YORK, INC.**

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton
Executive Director

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

BY ECF & EMAIL

The Honorable Alvin K. Hellerstein
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. George Guldi
19 Cr. 126 (AKH)

Dear Judge Hellerstein:

The defense writes to respectfully request the Court delay Mr. Guldi's surrender date due to his scheduled medical appointments to treat his serious health conditions. The Government consents to delaying Mr. Guldi's surrender until December 1, 2023. For the reasons stated below, however, the defense requests that Mr. Guldi's surrender be delayed until January 31, 2024.

First, surrender should be delayed until January 31, 2024, to allow Mr. Guldi to see his specialists at already-scheduled appointments so that they can agree on a treatment plan during his period of incarceration, prior to his surrender. Mr. Guldi is currently scheduled to meet with several doctors in the coming months and through mid-January for his numerous serious medical conditions, including [REDACTED]. See Ex. A. It is also likely that Mr. Guldi requires [REDACTED]. If he does not receive it, he will be confined to a wheelchair while incarcerated.

The Government does not object to extending Mr. Guldi's surrender to accommodate necessary and important medical examinations or procedures that may not as easily be addressed while incarcerated. Specifically, the Government states that:

Accordingly, after being informed by defense counsel of an upcoming consultation with the defendant's neurosurgeon on November 13, 2023, the Government consented to extending the defendant's surrender to a date after that consultation—and agreed to discuss with defense counsel, following that consultation, whether additional extensions

October 31, 2023

*Def't's Time To report
is delayed to Dec. 1, 2023,
2:00 pm. Further enlargements
will require a detailed
schedule of doctor's visits.
10-31-23
Alvin K. Hellerstein*

United States v. Guldi, 19 Cr. 126 (AKH)
October 31, 2023

Page 2 of 2

may be warranted, based on what the defendant learns from his neurosurgeon at that time. The Government does not consent, however, to a three-month extension at this time, which appears longer than necessary based on present facts, particularly given that the defendant has been designated to a Federal Medical Center.

The Government's position – that it is better to assess Mr. Guldi's health month-by-month and appointment-by-appointment before delaying surrender – would be unnecessarily burdensome on all parties.

Surrender should also be delayed until January 31, 2024, because the Bureau of Prisons placed Mr. Guldi at FMC Butner, and not FMC Devens as the Court recommended. Butner is not an appropriate placement for Mr. Guldi because 1) it is not safe, and 2) it is more than 700 miles from his home, family, and friends. See Ex. B. A delayed surrender will allow the defense to advocate to the BOP to change the designation. The Court sentenced Mr. Guldi to prison based in part on the assurances of the Government that he will receive adequate care while in BOP custody. It is simply not true that he will receive it at Butner.

For the reasons stated above, the defense respectfully requests the Court delay Mr. Guldi's surrender until January 31, 2024.

Respectfully submitted,

/s/

Tamara Giwa
Ian Marcus Amelkin
Assistant Federal Defender
52 Duane Street, 10th Floor
New York, NY 10007
(212) 417-8733

cc: Jon Bodanksy, Esq.
Maddie Smyser, Esq.
Daniel Richenthal, Esq.